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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,212	03/25/2005	Herve Cunin	032326-294	8825

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EXAMINER
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KOYAMA, KUMIKO C

ART UNIT	PAPER NUMBER
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2887

NOTIFICATION DATE	DELIVERY MODE
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03/26/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/529,212	<b>Applicant(s)</b> CUNIN ET AL.	
	<b>Examiner</b> KUMIKO C. KOYAMA	<b>Art Unit</b> 2887	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>0305</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

Preliminary Amendment received on March 25, 2005 has been acknowledged.

### *Specification*

1. The abstract of the disclosure is objected to because it includes improper language, such as "comprises." Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

2. Claim 1 is objected to because of the following informalities:

#### **Re claim 1:**

**Line 3:** "the dimensions and the position" should be changed to --dimensions and position--.

**Line 5:** "its surface" should be changed to either --card surface-- or --main surface--. "Its surface" lacks antecedent basis. It is unclear whether "its surface" is pointing to the main face or a different surface. Clarification of this matter is respectfully requested.

**Line 5:** "the contact set" should be changed to either --a contact set-- or --the contact pads--. "The contact set" lacks antecedent basis. It is unclear whether the contact set is part of the contact pad set or a separate element. Clarification of this matter is respectfully requested.

**Line 6:** "it use" should be changed to --card use--.

**Line 7:** “identifying its issuing authority” should be changed to --identifying an issuing authority--.

**Line 9:** “the introduction” should be changed to --introduction--.

**Line 12:** “when the latter is in its functional position” should be changed to --when the card is in the functional position--.

**Line 16-17:** “and/or electronic components” should be changed to --entire set of the electronic components--.

**Line 17:** “its functional position” should be changed to --the functional position--.

**Line 18:** As for “contact set” the Examiner respectfully requests the Applicant to conform "the contact set" on line 18 according to the changes made on line 5 (depending whether the Applicant chooses to --contact set-- or --the contact pads--).

**Line 21:** “the component set” should be changed to --the electronic component set--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yap et al (US Patent Application Publication No. 2003/0066893 A1) in view of Jelinek et al (US

6,581,830). Re claims 1, 11 and 12: Yap discloses a smart card 10 that includes electrical data contacts 18 connected to the on-board memory chip (Paragraph [0082], lines 3-5). As shown in Fig. 2, the dimensions and the position on the main face of the card are standardized. Yap discloses that promotional or instructional material can be printed alongside the control indicia. For example, advertising material 26 can be printed on the front face of the smart card 10 or on a reverse face 27 of the card 10 (Paragraph [0081], lines 20-26). Such disclosure teaches any part that is not occupied by the contact set, visual information for customizing the card according to the use, for advertising purposes. Yap also discloses a remote reader 1, having a housing 2 which defines a card receptacle 4 (Paragraph [0081], lines 1-4). Fig. 1 and Fig. 6(a) show that the receptacle 4 is a horizontal slot for the introduction of the card into the functional position in relation to the housing. Yap discloses that the electrical data contacts 18 (of the card) is connected to the on-board memory chip 19 corresponding with exposed contacts 7 on the remote reader (Paragraph [0082], lines 3-7). Such exposed contacts 7 are electronic connectors for connection with the pads of the card when the card is in the functional position. Fig. 47(c) shows that the card 10 is in functional position. Yap discloses that the remote reader 1 is hard wired to a persona computer system 100 via a communications cable 3 (Paragraph [0092], lines 3-5) and the computer 100 operates to interpret signals sent via the communications cable 3 from the remote reader 1 (Paragraph [0093], lines 12-13). Such disclosure teaches that the exposed contacts 7 performs an interface function between the card and a terminal device (computer) to which the reader is connected. Fig. 47 (a) shows that the electrical contacts 4407 is part of a connector block 4437, which is connected to a PCB 4801 (Paragraph [0150]). Yap also discloses a viewing area 6 through the transparent pressure sensitive touch panel 8 (Paragraph [0084],

lines 4-6). Also, Fig. 47 (a)-(c) shows that parts of the body (4408) of the housing which extend above the main face of the card (10), outside of the location area of the component set (4407), are made of a transparent material (Paragraph [0146]).

Yap fails to teach that the when the card is in a functional position, the electronic component is located substantially above the contact set.

In Fig. 5a, Jelinek shows a card reader 9 has contact arrangements 14, 15 located on the top and bottom portion of the card reader. When the card is in a function position as shown in Fig. 5b and 7c, the contact arrangement (the electronic component) is located above the contact set. Fig. 8a of Jelinek also shows that the body of the housing includes two opposing longitudinal slides (at the location of reference number 10) which delimit the horizontal slot for introduction and longitudinal guidance of the card in the housing, and a transverse extremity (reference number 80) constituting an end-stop with which a front transverse edge of the card comes into contact in order to establish the functional position of the card in relation to the housing.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Yap to the teachings of Jelinek such that two cards can be inserted to be read by the reader, and also a single card can be inserted either top surface up or top surface down, thereby making the processing easier and faster for the user.

Re claims 2-8, 19 and 24: As described above, Fig. 8a of Jelinek also shows that the body of the housing includes two opposing longitudinal slides (at the location of reference number 10) which delimit the horizontal slot for introduction and longitudinal guidance of the card in the housing, and a transverse extremity (reference number 80) constituting an end-stop with which a

front transverse edge of the card comes into contact in order to establish the functional position of the card in relation to the housing.

Re claims 9 and 10: As shown in Fig. 47(a) of Yap, the electronic component is located in the recess formed near 4407, which is the central part of the housing. With the combination provided above with Jelinek, the modification would teach a recess in a central part of the upper wall of the housing. Yap also teaches that the transparent material.

Re claims 13, 14, 20 and 25: Since the component set, the contact set and the electrical connector are the same element, which is described above in the combination, the component set and the contact set have the same maximum transverse width.

Re claims 15-18 and 21-23: Fig. 47 (a) of Yap shows that the printed circuit board 4801 is of substantially rectangular outline, which is located below the contact set, substantially right angles with the contact set and carries the components of the component set. The modification of Yap as modified by Jelinek as described above, shows that the contact sets and the component set are located on both top and bottom, the modification would teach a printed circuit board located above the contact set as well.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Liston et al., U.S. Patent Application Publication No. 2002/0066785 A1, discloses a reader with transparent material.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUMIKO C. KOYAMA whose telephone number is (571)272-2394. The examiner can normally be reached on Monday-Friday 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Paik can be reached on 571-272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kumiko C. Koyama/  
Primary Examiner, Art Unit 2887  
March 17, 2008